IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11881 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

HJ DASANI

Versus

STATE OF GUJARAT

Appearance:

MR AM PAREKH for Petitioner

Mr. A.J. Desai, Ld.GOVT PLEADER for Respondent No.1, 2, 3

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 08/12/2000

ORAL JUDGEMENT

1. Heard learned counsel Mr. A.M. Parekh for the petitioner and Mr. A.J. Desai, learned AGP appearing on behalf of the respondent No.1 State. Rule. Mr. A.J. Desai, learned AGP waives service of rule on behalf of

respondent State. The petitioner was carrying on business as a dealer in petroleum products by establishing a patrol pump at Advan village, taluka & district Porbandar. The respondent No. 2 Jt. Director, Food & Civil Supplies department cancelled licence of the petitioner by an order dated 31-7-2000. Against order of cancellation of licence by respondent No.2, petitioner filed an appeal before the Director, Food & Civil Supplies department - respondent No.3. The director by his order dated 12-10-2000 rejected the appeal of the petitioner. Having felt aggrieved by the order of the appellate authority, the petitioner has filed a revision application before the State Government, which has been registered as Revision Application No. 108 of 2000.

2. Learned counsel for the petitioner submitted that, after cancellation of his licence, the patrol pump is lying idle from 31-7-2000 and the petitioner is incurring huge financial loss for closure of his petrol pump. Learned counsel submitted that, it is therefore necessary that the authority should decide the revision urgently. Learned counsel also drawn my attention to the letter dated 10-11-2000 wherein the Government has acknowledged the receipt of revision application of the petitioner on 3-11-2000. Since the petitioner's petrol pump is closed because of the cancellation of the licence, I am of the view that a final decision is required so that the petitioner may know his future, and that is only possible, if the revision application is disposed of by the government finally in accordance with law and at an early date.

3. Having regard to the submissions made by learned counsel of both the parties, I am also of the view that the revision application filed by the petitioner requires an early disposal. Accordingly, the State of Gujarat Respondent No.1 is directed to consider and dispose of the Revision Application No. 108 of 2000 at an early date and preferably within a period of three weeks from the date of receipt of this order. Petition is disposed of accordingly. Rule is made absolute to the aforesaid extent. However, I make no order as to costs. Direct service permitted.

Dt: 8-12-2000 (P.K. Sarkar, J)

/vgn